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Attorney Docket: 1055E (30USS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Stern et al
 Serial No: 10/828,613
 Filed: April 21, 2004
 For: METHOD AND APPARATUS FOR DETECTION OF FLUORESCENTLY
 LABELED MATERIALS

Examiner: Andrew W. Johns
 Art Unit: 2621

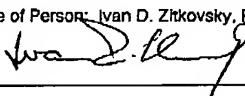
Commissioner for Patents
 US Patent and Trademark Office

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the enclosed total of 6 pages including a cover sheet is being facsimile transmitted to the fax number 1-703-872-9314, in the above-referenced application, to the Patent and Trademark Office on the date shown below.

Typed or Printed Name of Person: Ivan D. Zitkovsky, Reg. No. 37,482

Date: November 10, 2004

Signing Certification 

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97 and §1.98**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98,
 Applicants submit this Information Disclosure Statement including an attached form
 PTO-1449.

This Information Disclosure Statement has been filed more than three months
 after the filing date of this application, but before the mailing date of the first Office
 Action on the merits; therefore, **no fee is required**.

The Applicants hereby make of record in the above-identified application the
 information listed on the attached form PTO-1449 (modified). As provided for by 37
 CFR 1.97(g) and (h), no inference should be made that the information and references
 cited are prior art merely because they are in this statement and no representation is
 being made that a search has been conducted or that this statement encompasses all
 the possible relevant information. The order of presentation of the references should
 not be construed as an indication of the importance of the references.

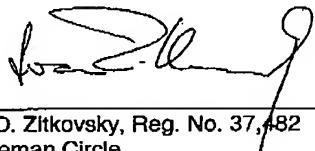
This application claims priority under 35USC §120 from and is a continuation of US Application 09/699,852 filed October 30, 2000, now US Patent 6,741,344, which is a continuation of US Application Serial No. 08/823,824 filed on March 25, 1997, now US Patent 6,141,096, which is a continuation of US Application Serial No. 08/195,889, filed on February 10, 1994, now U.S. Patent 5,631,734. Except for US Patent 6,741,344; 6,591,196; 6,207,960; and 6,140,044, all documents cited in the attached form PTO-1449 were previously submitted in the above-mentioned priority applications; therefore submission of copies of the cited documents is not required.

This application was filed after June 30, 2003. As published in the Official Gazette on August 5, 2003, the US PTO "waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003." Therefore, copies of the cited US Patents 6,741,344; 6,591,196; 6,207,960 and 6,140,044 do not need to be submitted herewith.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant believes that no fee is required for submission of this Statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the Deposit Account No. 01-0431.

Respectfully submitted,



Nov. 10, 2004

Ivan D. Zitkovsky, Reg. No. 37,482
6 Freeman Circle
Lexington, MA 02421-7713

Tel. +781-274-6690
Fax +781-274-6696

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			Attorney Docket No.: A1-30USS	Application No.: 10/828,613
			Applicant: DAVID STERN	
			Filing Date: April 21, 2004	Group: 2621
Reference Designation		U.S. PATENT DOCUMENTS		
Examiner Initial	Document No.	Date	Name	Class
				Sub-class
				Filing Date (If Appropriate)
	6,741,344	5/25/2004	STERN ET AL.	
	6,391,196	7/8/2003	YAKHINI ET AL.	
	6,207,960	03/27/2001	STERN	
	6,141,096	10/31/2000	STERN ET AL.	
	6,140,044	10/31/2000	BESEMER	
	5,981,956	11/9/1999	STERN	
	5,861,242	1/19/1999	CHEE ET AL.	
	5,760,951	06/02/1998	DIXON ET AL.	
	5,737,121	04/07/1998	DIXON ET AL.	
	5,672,880	09/30/1997	KAIN	
	5,646,411	07/08/1997	KAJN ET AL.	
	5,631,734	05/20/1997	STERN ET AL.	
	5,585,639	12/17/1996	DORSEL ET AL.	
	5,583,342	12/10/1996	ICHIE	
	5,578,832	11/26/1996	TRULSON ET AL.	
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	5,571,639	11/05/1996	HUBBELL ET AL.	
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	5,527,681	06/18/1996	HOLMES	
	5,498,392	03/12/1996	WILDING ET AL.	
	5,494,124	02/27/1996	DOVE ET AL.	
	5,486,335	01/23/1996	WILDING ET AL.	
	5,474,796	12/12/1995	BRENNAN	
	5,459,325	10/17/1995	HUETON ET AL.	
	5,451,500	09/19/1995	STAPLETON	
	5,436,129	07/25/1995	STAPLETON	
	5,424,841	06/13/1995	VAN GELDER ET AL.	
	5,424,186	06/13/1995	FODOR ET AL.	
	5,405,783	04/11/1995	PIRRUNG ET AL.	
	5,384,261	01/24/1995	WINKLER ET AL.	
	5,382,511	01/17/1995	STAPLETON	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Reference Designation		U.S. PATENT DOCUMENTS			Page 2	
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
	5,381,224	01/10/1995	DIXON ET AL.			
	5,346,672	09/13/1994	STAPLETON ET AL.			
	5,320,808	06/14/1994	HOLEN ET AL.			
	5,310,469	05/10/1994	CUNNINGHAM ET AL.			
	5,304,810	04/19/1994	AMOS			
	5,304,487	04/19/1994	WILDING ET AL.			
	5,300,779	04/05/1994	HILLMAN ET AL.			
	5,281,516	01/25/1994	STAPLETON ET AL.			
	5,235,180	08/10/1993	MONTAGU			
	5,214,531	05/25/1993	TORI ET AL.			
	5,200,051	04/06/1993	COZZETTE ET AL.			
	5,198,871	03/30/1993	HILL, JR. ET AL.			
	5,192,980	03/09/1993	DIXON ET AL.			
	5,188,963	02/23/1993	STAPLETON			
	5,143,854	09/01/1992	PIRRUNG ET AL.			
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	5,091,652	02/25/1992	MATHIES			
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	4,963,498	10/16/1990	HILLMAN ET AL.			
	4,878,971	11/07/1989	TSUNEKAWA ET AL.			
	4,844,617	07/04/1989	KELDERMAN ET AL.			
	4,815,274	03/28/1989	PIATTI			
	4,810,869	03/07/1989	YABE ET AL.			
	4,786,170	11/22/1988	GROEBLER			
	4,772,125	09/20/1988	YOSHIMURA ET AL.			
	4,708,494	11/24/1987	KLEINERMAN			
	4,626,684	12/02/1986	LANDA			
	4,580,895	04/08/1986	PATEL			
	4,579,430	04/01/1986	BILLE			
	4,537,861	08/27/1985	ELJNGS ET AL.			
	4,448,534	05/15/1984	WERTZ ET AL.			
	4,417,260	11/22/1983	KAWAI ET AL.			
EXAMINER			DATE CONSIDERED			

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Examiner Initial	Document No.	Date	Name	Class	Sub-class
	4,342,905	08/03/1982	FUJI ET AL.		
	4,204,929	05/27/1980	BIER		
	4,180,739	12/25/1979	ABU-SHUMAYS		
	4,176,925	12/04/1979	KOCHER ET AL.		
	4,070,111	01/24/1978	HARRICK		
	4,016,855	04/12/1977	MIMATA		
	3,984,171	10/05/1976	HOTCHKISS		
	3,802,966	04/09/1974	DELEKTO ET AL.		
	3,798,449	03/19/1974	REINHEIMER ET AL.		
	3,632,212	01/04/1972	BERNAL		
	3,385,160	05/28/1968	DAWSON ET AL.		
	3,216,313	11/09/1965	CHISHOLM		
FOREIGN PATENT DOCUMENTS					
	Document No.	Date	Country	Class	Sub-class
	WO 95/11995	05/04/1995	WIPO		
	WO 93/09668	05/27/1993	WIPO		
	WO 93/02992	02/18/1993	WIPO		
	WO 92/10092	06/25/1992	WIPO		
	WO 90/15070	12/13/1990	WIPO		
	WO 84/01031	03/15/1984	WIPO		
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)					
	Alexay et al., "Fluorescence scanner employing a Macro Scanning Objective," Progress in Biomedical Optics, SPIE, Proceedings of fluorescence Detection IV, Vol. 2705, pp. 63-72 (1996).				
	Benschop et al., "Confocal compact scanning optical microscope based on compact disk technology." Chem Abs. 114(26): 1179-1184, abstract No. 256643 p (Jul. 1, 1991).				
	Chee et al., "Accessing Genetic Information with High-Density DNA Arrays," Science, Vol 274, pp. 610-614 (October 25, 1996).				
	Dixon et al., "Confocal scanning beam laser microscope/macroscope: Applications in Fluorescence," Progress in Biomedical Optics, SPIE, Proceedings of Fluorescence Detection IV, Vol. 2705, pp. 44-52 (1996).				
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